

Dan Marshall

43

1 [REDACTED]
2
3
4 Q. Okay.
5 Good evening sir, how are you?
6 A. Great.
7 Q. Just state your name for the record please?
8 A. [REDACTED]
9 Q. Okay.
10 [REDACTED] what is it you do for a living?
11 A. I'm an Auxiliary police officer.
12 Q. Auxiliary police officer.
13 What is that?
14 A. I assist the police department and police
15 officers.
16 Q. You assist the department and police officers?
17 A. Yes.
18 Q. Do you get paid as an auxiliary police officer?
19 A. No, I am not paid. I don't carry a weapon.
20 Q. You don't get paid?
21 A. No.
22 Q. Okay.
23 You have any other sort of paying jobs?
24 A. Yes, I do bouncing.
25 Q. At --

DEF_0884

1 A. And security.

2 Q. Where do you bounce?

3 A. At 189 Bridge Street, Amarichi Restaurant and
4 lounge.

5 Q. You carry a firearm when you bounce?

6 A. No, I don't.

7 Q. Just briefly, what are your duties as an auxiliary
8 police officer, do you patrol?

9 A. No, I don't patrol, I don't patrol as regular
10 police officers.

11 Q. Okay.

12 When do you?

13 A. I go to community councils, volunteer program
14 basically.

15 Q. Okay.

16 I will direct your attention to March 7, 2015, the
17 early morning hours approximately 12 in the morning,
18 carrying backwards into March 6, 2015 that evening,
19 were you working?

20 A. Yes.

21 Q. Were you working as an auxiliary police officer or
22 bouncer?

23 A. Bouncer.

24 Q. Okay.

25 Where were you working?

1 A. 189 Bridge Street, Amarichi.

2 Q. Okay.

3 What county?

4 A. Brooklyn, kings.

5 Q. What time did you start work that night?

6 A. 10 p.m.

7 Q. And what are the basic duties as a bouncer?

8 A. Provide protection for the staff that work
9 there and the building itself.

10 Q. Okay.

11 Can you -- briefly describe the inside of Amarichi
12 Prime, what kind of bar, restaurant?

13 A. Restaurant. One side restaurant, one side
14 bar. It's not a club or anything like that, they do
15 serve alcohol, that's it.

16 Q. Dance floor?

17 A. Yeah, has a dance floor in middle.

18 Q. DJ booth?

19 A. DJ booth, security booth.

20 Q. Were you working that evening, did you have an
21 incident that evening?

22 A. Yes.

23 Q. Okay.

24 What kind of incidents?

25 A. There was a male standing besides the bar and

1 one of the bartenders came over to me and told me that
2 he had touched her and he was drinking too much, he was
3 going behind the bar and stuff like that.

4 Q. Did you later learn that individual's name?

5 A. Yes.

6 Q. What you learn that individual's name to be?

7 A. James Benbow.

8 Q. Okay.

9 Okay.

10 So, what happened after the bartender came over to
11 you and said this defendant was going behind the bar
12 and touching waitresses?

13 A. I went and made contact with him.

14 Q. Did you happen to notice if he was with anybody
15 else that evening?

16 A. Yes.

17 Q. Who was he with?

18 A. He was with Eric, I forgot last name.

19 Q. Okay.

20 You don't remember his last name?

21 A. No.

22 Q. Is there something that I can show you that would
23 refresh your recollection?

24 A. Yeah.

25 Q. Okay.

1 over to the manager or owner?

2 A. He started talking to him, you know, wanted
3 to make deals, stuff like that.

4 Q. Then what?

5 A. He got more aggressive, you not going to let
6 me do what I want in here, stuff like that.

7 Q. Then what?

8 A. The owner told him also, he security, he will
9 have to escort you out if you behave like this.

10 Q. Then what happened?

11 A. F the security guard.

12 Q. The defendant said that?

13 A. Yeah.

14 Q. What happened next?

15 A. He want back over to the bar to Eric Bradley
16 standing there, he bought a drink for him and Eric and
17 owner and he came back over and told the boss, you
18 know, I bought you this drink for you, you know, you
19 are not going to take it, he said no and he said you
20 going to disrespect me like that, can you take the
21 drink and hold up so Bradley, which is his friend, and
22 don't disrespect my guy like that, so the boss did
23 that.

24 Q. Okay.

25 Now, what happened next?

1 A. And then he left, went to take his jacket
2 off.

3 Q. Okay.

4 Defendant Benbow went to take his jacket off?

5 A. Yes.

6 Q. And what happened?

7 A. When took jacket off, I saw that he had
8 inside the waist clip on his belt and know that to be a
9 holster for a weapon. So I saw that and walked over
10 when he took the jacket off, he pulled sweater down to
11 fix it, I know something was there. So he came over to
12 the boss and talking to the boss, so I reached next to
13 him and nonchalantly touched the defendant.

14 Q. Did you touch Defendant Benbow?

15 A. Yeah and I touched the weapon and felt in his
16 waistband.

17 Q. What it feel like?

18 A. Was a firearm, butt of a firearm.

19 Q. Okay.

20 Did this feel like metal, plastic?

21 A. Metal, you know, straight metal.

22 Q. Okay.

23 You knew that to be a firearm?

24 A. Yes.

25 Q. Okay.